	Case 2:16-cr-00435-SVW Document 1	Filed 06/21/16 Page 1 of 4 Page ID #:1				
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3	CLERK U.S. BLARICA COURT CENTRAL MATERIAL COURT					
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8	UNITED STATE	S DISTRICT COURT				
9	FOR THE CENTRAL D	ISTRICT OF CALIFORNIA				
10	UNITED STATES OF AMERICA,	CRRN - 6-0 435				
11	Plaintiff,	<u>INFORMATION</u>				
12	v.	[18 U.S.C. § 1349: Conspiracy to				
13	SAMUEL ALBERT,	Commit Health Care Fraud]				
14	Defendant.					
15						
16						
17	The United States Attorney ch	narges:				
18	[18 U.S.	C. § 1349]				
19	A. GENERAL ALLEGATIONS					
20	At all times relevant to this	Information:				
21	1. Defendant SAMUEL ALBERT ("defendant ALBERT") was a licensed					
22	psychiatrist with a medical office located at 10840 Warner Avenue,					
23	Suite #1095, in Fountain Valley, California, within the Central					
24	District of California.					
25	2. The Federal Employees' Compensation Act, Title 5, United					
26	States Code, Sections 8101, et seq. ("FECA"), provided compensation					
27	benefits to civilian employees of the United States for wage-loss					
28	disability due to a traumatic injury or occupational disease					

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sustained while working as a federal employee.

- Benefits available pursuant to FECA were administered by the Office of Workers' Compensation Programs ("OWCP"), a component of the Department of Labor ("DOL").
- A wage-loss disability claimant was required to return to work (including limited duty or part-time work) as soon as the claimant was able.
- OWCP relied on physician providers to help assess when a disability claimant was able to return to work or if a claimant needed to continue receiving benefits under FECA, including physicians' care, medications, physical therapy, and a percentage of his or her regular pay.
- 6. FECA was a "health care benefit program" as defined by 18 U.S.C. § 24(b), that affected commerce.

THE OBJECT OF THE CONSPIRACY

Beginning in or around at least January 2008, and continuing through in or around at least March 2014, in Orange County, within the Central District of California, and elsewhere, defendant ALBERT, together with others known and unknown to the United States Attorney, knowingly combined, conspired, and agreed to commit health care fraud, in violation of Title 18, United States Code, Section 1347.

THE MANNER AND MEANS OF THE CONSPIRACY

- The object of the conspiracy was to be carried out, and was 8. carried out, in substance, as follows:
- At defendant ALBERT's direction, co-conspirator office employees with no official medical training or background

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would prepare reports purportedly reflecting patients' psychiatric status, history, treatment, or progress based on psychotherapy sessions ("patient reports") for defendant ALBERT to submit to OWCP.

- The co-conspirators would utilize various report templates (called K-Files) and complete patient reports to be submitted to OWCP on a random basis. The various patient reports would be completed by co-conspirator office employees by "cutting and pasting" template paragraphs into patient reports that would be submitted to OWCP.
- The template paragraphs would be numbered and maintained within electronic documents and titled by the name of the report section to which they corresponded. For example, there would be documents containing paragraphs for the following patient report sections: "Current Situation"; "Treatment Modalities"; and "Rationalized Medical Opinion."
- A "key" would be maintained on the final page of each d. patient report, with strict directions to never include the final page in the reports submitted to OWCP. The key would keep track of various details about the report's creation, such as which report template was used, the order of the report sections, and the font type.
- Defendant ALBERT would direct co-conspirator office е. employees to maintain a log tracking the submitted report templates for each patient and the assigned OWCP Claims Examiner. The purpose of this log would be to never send the same OWCP Claims Examiner the same report template, and thereby, avoid detection of the scheme to fraudulently prepare and submit patient reports.

Case 2:16-cr-00435-SVW Document 1 Filed 06/21/16 Page 4 of 4 Page ID #:4

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- f. At defendant ALBERT's direction, co-conspirator office employees would prepare Health Insurance Claim Forms to bill OWCP for the preparation of the patient reports.
- g. Defendant Albert would review and sign the Health Insurance Claim Forms and would cause them to be submitted to OWCP, along with printed versions of the corresponding patient reports.
- 9. As a result of defendant ALBERT's conduct, between in or about January 2008 and in or about March 2014, defendant ALBERT and his co-conspirators submitted and caused the submission of approximately 4,200,440 in false and fraudulent claims to DOL-OWCP for patient report billings, and DOL-OWCP paid approximately \$2,310,935 based on those claims.

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Assistant United States Attorney
Chief, Criminal Division

LIZABETH A. RHODES

Assistant United States Attorney Chief, General Crimes Section

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Deputy Chief, General Crimes Section

ASHWIN JANAKIRAM Special Assistant United States Attorney General Crimes Section

Case 2:16-cr-00435-SVW Document 45 Filed 06/19/17 Page 1 of 1 Page ID #:373 UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

CRIMINAL MINUTES - SENTENCING AND JUDGMENT

		(Ame	nded)		
Cas	se No. 2:16-cr-00435-S				Date	June 19, 2017	
	2,10 01 00 100 5					00110 17, 2017	
Pre		<u>ΓΕΡΗΕΝ V. WILSO</u>	<u>ON, U.S. DISTRICT JUDO</u>	GE			
	Paul M. Cruz		Deborah Gackle			n Janakiram/Roger Hseih	
	Deputy Clerk		Court Reporter/Record	er	As	ssistant U.S. Attorney	
	Defendant	Custody Bond	Counsel for Defendan	Retd 1	DFPD Panel	Interpreter	
	Samuel Albert		David J. Schindler	X		N/A	
	Samuel Albert	_ 🗆 🗡	David J. Schilldici			IV/A	
PR	OCEEDINGS: SEN	TENCING AND J	UDGMENT HEARING	□ C	ontested X	Non-Evidentiary	
	Day _	(if continued f	from a prior hearing date)			
	Refer to Judgment and Prob	oation/Commitment	t Order; signed copy attach	ed hereto.	X Re	fer to separate Judgment Order.	
X	Imprisonment for 10 mont			rmation			
	Count(s)		ent/consecutive to count(s)				
	Fine of \$		ed on each of count(s) con				
	Confined in jail-type institu		prisonment only suspende			4: d/d-	
	commencing	LUOII IOI		to be ser	ved on consecut	live days/weekends	
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			Judgment/Commitment O	der) and the	following additi	onal terms and conditions, under	
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